SUPREME COURT OF THE UNITED STATES

October Term, 1968.

MONTGOMERY ET AL. *v.* BURNS ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA.

No. 438. Decided May 5, 1969.

PER CURIAM.

The motion of appellees for leave to proceed *in forma pauperis* is granted. The motion to affirm is granted and the judgment is affirmed.

MR. JUSTICE BLACK dissents for the reasons given in the dissenting opinion of THE CHIEF JUSTICE in *Shapiro* v. *Thompson*, 394 U. S. —, decided April 21, 1969.

MR. JUSTICE HARLAN dissents for the reasons given in his dissenting opinion in *Shapiro* v. *Thompson*, 394 U. S. —.